

REMARKS

In reply to the outstanding Restriction Requirement, mailed April 19, 2005, in connection with the above application, Applicants hereby elect with traverse Group II, claims 36-40, drawn to a method of identifying the presence of a pathogenic agent. Applicants elect this invention with traverse because the inventions of Group I and Group II are related and are capable of being used together. Specifically, the systems of Group I can be used in the methods of identification of Group II. Accordingly, searches related to the inventions of Group I and II are co-extensive and can be examined simultaneously without significant additional burden. Thus, Applicants respectfully request that the inventions of Group I and II be rejoined.

Applicants additionally take this opportunity to point out that the application was filed with claims 1-46. However, the previous Restriction Requirement did not refer to claims 45 and 46. Applicants point this out only to avoid any confusion with respect to subsequent numbering of the newly added claims.

Applicants add new claims 47-66. Support for the subject matter of these claims is found throughout the specification. No new matter has been entered. Applicants contend that claims 47-66 are directed to an invention of Group II. Accordingly, Applicants' election with traverse of Group II is an election of claims 36-40 and 47-66.

Finally, Applicants cancel, without prejudice, non-elected claims 6-9, 12-13, 17-18, 30-34, and 41-46. Applicants' cancellation of these claims is solely to avoid additional claim fees resulting from entry of new claims 47-66. Cancellation of claims 6-9, 12-13, 17-18, 30-34, and 41-46 does not narrow the scope of Applicants' disclosure and should not be construed to alter the scope of the claimed subject matter.

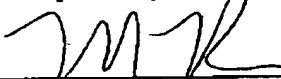
CONCLUSION

Claims 1-66 constitute the pending claims in the present application. Applicants elect with traverse Group II, claims 36-40 and 47-66. If any clarification of the above response would facilitate prosecution of this application, Applicants respectfully request that the Examiner contact the undersigned at 617-951-7000. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this submission be charged to **Deposit Account No. 18-1945, under Order No. MIN-P01-001.**

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Respectfully Submitted,



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